

LAND USE COMMISSION
MEETING MINUTES
May 14, 2026 – 9:00 a.m.

LOCATION: Hilton Garden Inn Kaua'i Wailua Bay, Kūhiō Ballroom
3-5920 Kūhiō Highway, Kapa'a, HI 96746

YOUTUBE RECORDING: <https://youtu.be/TdSXcPPeokw>

COMMISSIONERS PRESENT:

Brian Lee
Bruce U'u
Ken Hayashida
Mel Kahele
Michael Yamane
Nancy Carr Smith

STAFF PRESENT:

Daniel Orodener, Executive Officer
Scott Derrickson, AICP Chief Planner
Martina Segura, Staff Planner
Ariana Kwan, Chief Clerk
John Dubiel, Esq. Deputy Attorney General (zoom)

COMMISSIONERS ABSENT:

Myles Miyasato
Kuike Kamakea-Ōhelo

COURT REPORTER:

Naegeli Deposition and Trial
(Via Zoom Recording)

1. CALL TO ORDER (*YouTube: 00:00:00 - 00:03:50*)

Chair Lee called the meeting to order at 9:00 a.m.

2. A89-636 Grove Farm Properties, Inc. (Kaua'i) (*YouTube: 00:03:51 - 0:20:40*)

To Consider Successor Petitioner (To a Portion of Parcel 8) Regency Puakea Properties, LLC's Amended Motion for Order Releasing Condition No. 2 as Set Forth in the Land Use Commission's Findings of Fact, Conclusions of Law, and Decision and Order Dated June 30, 1989 and December 20, 1995. Files pertaining to this docket are available at:

<https://luc.hawaii.gov/a89-636>

Parcel information: TMK: (4) 3-3-003-045. Approximately 103.570 Acres of Land Situate at Līhu'e, County of Kaua'i, State of Hawai'i.

Appearances

Successor Petitioner

(To a Portion of Parcel 8):

Regency Puakea Properties, LLC

Nathan Natori, Esq.

**State Office of Planning and Sustainable
Development ("State" or "OPSD")**

Leo Asuncion, LUD Program Administrator

Aaron Setogawa, Planner

County of Kaua'i, Planning Department

("County" or "COK")

Jodi Higuchi Sayegusa, Deputy Director

Disclosures and Conflicts of Interest

Commissioner Hayashida disclosed he shared personal acquaintances with the Petitioner's attorney but shares no financial connection. Parties stated they had no objections.

Public Testimony

There was no written testimony, or members of the public who wished to testify on this matter.

Presentations

LUC Planner presented the staff report, posted on May 8, 2026. The planner explained that if good cause is shown, the Commission may modify or delete any of the conditions imposed or modify the Commission's order. "Good cause" can mean "a substantial reason amounting in law to a legal excuse," and that it will also depend on the specific circumstances of an individual case. Determining "good cause" is at the discretion of the Commission. Staff recommended approval of the motion.

Mr. Natori, on behalf of the successor petitioner, testified that the affordable housing requirement had been satisfied in 2007 by the original petitioner, Grove Farm Properties, Inc., and that the County of Kaua'i had acknowledged satisfaction of the requirement. He requested the Commission release Condition No. 2 from the petition area.

The County of Kaua'i Planning Department stated they had no objections to the motion.

OPSD stated that sufficient evidence existed to support the successor petitioner's standing and that good cause had been shown to release the affordable housing condition.

Deliberations

Commissioner Yamane moved to approve the successor petitioner's amended motion for release of Condition No. 2 and authorization for the Executive Officer to execute the required U.S. Department of Housing and Urban Development documentation and the motion was seconded by Commissioner Uu.

The motion passed with 6 ayes, 0 nays and 2 absent.

6. ADJOURNMENT (YouTube: 00:20:41 - 00:20:48)

With no further business, the Chair adjourned the meeting at 9:21 a.m.